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July 6, 2021

Via ECF

The Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: *In re: New York City Policing During Summer 2020 Demonstrations*,
1:20-CV-8924 (CM) (GWG)
This Letter Relates to All Cases

Dear Judge Gorenstein,

We, along with co-counsel, represent the Plaintiffs in *Sierra et al. v. City of New York, et al.*, No. 20-cv-10291 and we write, jointly with all Plaintiffs in these Consolidated Actions, to request an adjournment of the Conference scheduled for July 13, 2021. Defendants consent to this request.

The Conference was scheduled on July 2, 2021 to discuss the motion the Plaintiffs then anticipated making regarding the speed of the Defendants' document production, which the Court scheduled to be filed today in light of the Court's standard briefing schedule. Because the Plaintiffs hope to be able to either narrow or resolve multiple related issues affecting Defendants' document production over the course of meet and confers with Defendants this week, we respectfully submit that an adjournment of the schedule and Conference we requested is appropriate to consolidate a number of related issues before the Court.

Specifically, Plaintiffs note that their concerns regarding Defendants' pace of production—with only 2,500 documents produced to date out of approximately 50,000 Defendants have collected and many thousands more as-yet-uncollected—will be informed by related disputes about the extent of Defendants' compliance with this Court's directions to provide meaningful "algorithm letters" and other information about the ongoing productions, Defendants' failure to commence, conduct, and provide information about ESI searches of various databases, Defendants' deficient CCRB-related productions, Defendants' incomplete interrogatory responses, and disputes related to missing metadata and privilege log information, among others.¹

¹ This collection of issues is not intended to be a comprehensive list of discovery disputes. Rather, it is a list of the disputes that are closest to being fully discussed through the Court's meet and confer process and potentially ready for litigation.

All of these issues are intertwined with the overall pace and extent of Defendants' ongoing document production and the pace of discovery generally, in light of the "rocket docket." And all of these issues are close to being ready for either resolution between the parties or judicial review. In addition, it is not clear from the Defendants' conflicting representations how many documents will actually be produced this week.

Thus, Plaintiffs ask that the Court adjourn the July 13 Conference, *sine dine*, until Plaintiffs have seen this week's production, this week's status update/algorithm letter from Defendants, and the parties have either resolved or narrowed the disputes for various outstanding discovery disputes. Plaintiffs will work diligently to resolve as many of the outstanding issues as we can, but to the extent we cannot, we expect to make a motion raising as many of them as possible early next week.

Respectfully,

/s/

Rob Rickner